IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION No: 23787 of 2004

Between:

S. Sampath Reddy, S/o. S. Rami Reddy,
R/o. H.No. 51-15-11E, Rajeev Nagar, Kurnool.

..... PETITIONER

AND

The Commandant, II Betallion, Andhra Pradesh Special Police (APSP), Kurnool.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction or particularly one in the nature of Writ of Mandamus, declaring the action of the respondent in issuing the impugned memo in Rc.No. 12/BWO/2004 dt. 10-12-2004 by asking the petitioner to stop running the Cable TV Network system in the respondent campus from 31-12-2004, even though petitioner is permitted to run the cable TV Network system vide letter dt. 04-01-2002 and basing on the same petitioner spent huge amount by laying the new cable wire etc., as illegal, arbitrary violative of Article 14, 19, 21 and 300A of Constitution of India and consequently direct the respondent to permit the petitioner to run the cable network in the respondent campus.

Counsel for the Petitioner: MR.K.RATHANGA PANI REDDY

Counsel for the Respondent: GP FOR HOME

The Court at the admission stage made the following:

ORDER:

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The petitioner challenges the action of the respondent in issuing letter, dated 10.12.2004, wherein the petitioner was asked to stop the running of Cable TV Network System in the campus of II Battalion, Andhra Pradesh Special Police (APSP), Kurnool, from 31.12.2004. The petitioner states that he has been operating the Cable TV Network in the campus since the year 1993 and the respondent had abruptly terminated the contract without following the due procedure.

The matter was adjourned twice to enable the learned Government Pleader for Home to obtain instructions. After hearing the learned counsel for the petitioner and learned Government Pleader for Home and after examination of the matter, this Court is of the view that the dispute between the petitioner and the respondent is purely contractual and civil in nature and if so advised, the petitioner has to approach the civil Court to work out his remedies.

Hence, the writ petition is disposed of, leaving it open to the petitioner to work out his remedies in a Civil Court. There shall be no order as to costs.

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29.12.2004

Jsu

To

1. The Commandant, II Betallion, Andhra Pradesh Special Police (APSP), Kurnool.

2. 2 CCs to the G.P. for Home, High Court of A.P., Hyderabad (OUT).

3. 2 CD copies.